

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Scott Carlton	Team: Squad #16	CCRB Case #: 201708383	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 10/11/2017 7:15 AM	Location of Incident: 161st Street and Northern Boulevard	Precinct: 109	18 Mo. SOL 4/11/2019	EO SOL 4/11/2019	
Date/Time CV Reported Wed, 10/11/2017 10:20 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 10/11/2017 10:20 AM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. POM Christopher Rosario	08702	947947	109 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Christopher Rosario	Discourtesy: Police Officer Christopher Rosario acted discourteously toward § 87(2)(b)				

Case Summary

On October 11, 2017, § 87(2)(b) filed the following complaint using the Civilian Complaint Review Board (CCRB) website (**Board Review 01**).

On October 11, 2017, at 7:15 a.m., § 87(2)(b) was pulled over while driving alone by Police Officer Christopher Rosario of the 109th Precinct at the intersection of 161st Street and Northern Boulevard in Queens and issued a summons for use of an electronic device while the vehicle was in motion (**Board Review 02**). Police Officer Rosario tossed the summons and § 87(2)(b) license onto her lap. (**Allegation A: Discourtesy**, § 87(2)(g))

There was no available video footage for this incident.

Findings and Recommendations

Allegation A - Discourtesy: Police Officer Christopher Rosario acted discourteously toward

§ 87(2)(b)

§ 87(2)(g)

§ 87(2)(b) stated that when Police Officer Rosario approached her in the front driver's side seat of her car with a summons in hand, she asked what the summons was for. Police Officer Rosario did not provide an explanation. He did not make a verbal or physical request for § 87(2)(b) to take the summons. After a few seconds, Police Officer Rosario threw § 87(2)(b) license and summons into her lap through the open car door window with a backhanded flick of his right wrist (**Board Review 03-05**).

Police Officer Rosario stated that he approached § 87(2)(b) with the summons and extended his hand out in front of him in order to hand it to her. § 87(2)(b) did not take the summons in her hand and began to yell that Police Officer Rosario was disrespectful and had not given her a chance to explain herself. Police Officer Rosario asked § 87(2)(b) if she was going to take the identification and summons. § 87(2)(b) did not reply to the question and continued to yell. Police Officer Rosario felt that the situation would escalate if he interacted with her any longer. Police Officer Rosario placed § 87(2)(b) summons and identification on the "door lip" of her car within 30 seconds of approaching and told her that she could go to court to challenge the summons before he turned around and walked back to his vehicle. Police Officer Rosario explained that the "door lip" is at the bottom of the window, and that every car door has a two to three inch lip. Police Officer Rosario was not working with a partner (**Board Review 06**).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b)
- Police Officer Rosario has been a member of the NYPD for eight years and has had no prior CCRB allegations against him.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered and declined to pursue mediation on October 13, 2017.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
- On December 27, 2017, the New York City Comptroller's Office notified the CCRB that § 87(2)(b) had not filed a Notice of Claim (**Board Review 08**).

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date